

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

FILED

APR 21 2015 DC

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

CRISTEN RHINEHART,

Case No. 15cv101

Plaintiff(s),

Judge: John Z. Lee

Vs.

Magistrate Judge: Mary M. Rowland

GARY LUKE, VILLAGE OF

SAUK VILLAGE

Defendant(s)

PLAINTIFF'S MOTION TO DENY DEFENDANT'S EXTENSION OF TIME
TO ANSWER OR OTHERWISE PLEAD

NOW COME the Plaintiff, Cristen Rhinehart (Pro Se) respectfully requesting to deny the Defendants, Village of Sauk Village and Officer Gary Luke's extension of seven (7) days Until April 27, 2015, to answer or otherwise plead to the Plaintiff's Complaint. In support of This Motion, Plaintiff states as follow:

1. This matter was filed by Plaintiff on January 07, 2014.
2. Defendant(s) answer or other pleading in this matter was due on March 30, 2015.
3. Defendant(s), Village of Sauk Village and Officer Gary Luke were both properly served With SUMMONS by U.S. Marshal's as to the complaint on March 9, 2015.
4. Defendant(s), Village of Sauk Village and Officer Gary Luke failed to file timely answers as to the complaint within twenty-one (21) days of service of the SUMMONS.
5. Attorney appearance on April 2, 2015 filing a Motion for Extension of Time to Answer or Otherwise plead, and granted by the court. Answer was due April 20, 2015.

6. Defendant(s) have again failed to file a timely answer as to the complaint. But would like to request of this honorable court for an additional seven (7) days Extension of Time to Answer or Otherwise plead to the complaint.

ARGUMENT

FiR. Civ.P. 12(a)(1)(A)(i) requires a response within twenty-one (21) days after service of summons and complaint. In this case, a response was due on March 30, 2015. On April 2, 2015 attorney(s) for the defendants, Village of Sauk Village and Gary Luke filed an motion for extension of time to answer or otherwise plead and was granted by the court, an answer was due on April 20, 2015. The defendants have again failed to file a timely answer to the complaint. The fact or opinion that this matter has been recently received by Defense Counsel by the Defendant(s), Village of Sauk Village and Gary Luke should not be considered as an excusable factor. It should be considered as a timely delay to the plaintiff and to the court. The granting of this motion will not prejudice the Defendant(s) in this case, whereas the denial of this motion will truly prejudice the plaintiff.

WHEREFORE, the Plaintiff, Cristen Rhinehart, respectfully request that this Honorable Court deny the Defendant(s) motion and not grant them an additional seven (7) days, Until April 27, 2015, to answer or otherwise plead to Plaintiff's Complaint, and enter a Judgment of Default, and to grant the Plaintiff any and all relief deemed just and proper.

Respectfully submitted,

Cristen Rhinehart, (Plaintiff)
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